

EXHIBIT F

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 09-117-5-NMG

JONATHAN GREEN,
Plaintiff,

v.

CITY OF BOSTON; EDWARD DAVIS,
in his capacity as Chief of the
Boston Police Department;
TIMOTHY McCARTHY, individually
and in his official capacity as
an Employee, Agent and/or Officer
of the Boston Police Department,
Defendants.

Vol: I
Pages: 1 - 43
Exhibits: None

CHUANG PAN
Tuesday, September 20, 2011, 12:30 p.m.
City of Boston
Law Department
City Hall, Room 615
Boston, Massachusetts 02201
--- Ann M. Lavoie, Court Reporter ---
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ALSO PRESENT:

Ms. Yingjie Abel, Mandarin Interpreter

I N D E X

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*** EXHIBITS RETAINED BY COUNSEL ***

1 me his license. It is the same address that's on
2 his deposition subpoena. It is 72 Newbury Avenue,
3 Apartment 2, Quincy, Massachusetts 02171.

4 Q. (By Ms. Skehill) Where do you work?

5 A. 7-Eleven.

6 Q. How long have you worked there?

7 A. Seven years.

8 Q. Do you own the 7-Eleven?

9 A. It's my son's store.

10 Q. Do you have any ownership interest in the
11 store?

12 A. Yes.

13 Q. How much ownership do you have in the
14 store?

15 A. About 10 percent.

16 Q. How long has your son owned the 7-Eleven?

17 A. Seven years about.

18 Q. Are we discussing the 7-Eleven that's
19 located at 252 West Newton Street in Boston?

20 A. Yes.

21 Q. Do you own any other 7-Eleven stores?

22 A. No.

23 Q. Prior to working at the 7-Eleven at 252
24 West Newton Street or owning 10 percent of it where

1 A. Yes.

2 Q. What did you observe after you saw a man go
3 over to the newspaper stand and pick up a newspaper?

4 A. I turned my head over there.

5 Q. Turned your head over where.

6 A. I saw him picking up a newspaper.

7 Q. What else did you see?

8 A. He turned around. He started to swear at
9 me. Why are you looking at me?

10 Q. How do you know that the man said that?

11 A. Because I knew he was saying Chinese words.

12 THE INTERPRETER: Interpreter was
13 not able to catch the middle word. What blank? See
14 me.

15 MS. SKEHILL MAKI: Can you ask him
16 to clarify?

17 A. He was saying, Why are you looking at me?
18 I was picking up a newspaper.

19 Q. Mr. Pan, how much English do you
20 understand?

21 A. I could understand a few sentences.

22 Q. You understood, Why are you looking at me?

23 A. Right.

24 Q. At that point where was your niece?

1 A. She was by my side collecting money.

2 Q. What else did you observe?

3 A. Then there were customers in front of me.
4 He came over. He was swearing at me. Why are you
5 looking at me picking up the newspaper? I said, I
6 look at you, but I didn't say anything to you,
7 right?

8 Q. Did you say that in English?

9 A. Who said it, me?

10 Q. Yes.

11 A. Yes.

12 Q. You can speak some English.

13 A. Yeah.

14 Q. Did you say he moved towards you at that
15 point?

16 A. Yeah. He was in front of me by the
17 register. He was swearing at us.

18 Q. How do you know he was swearing? Do you
19 understand swear words in English?

20 A. He was saying expletive F-word.

21 THE INTERPRETER: In Chinese.

22 MS. SKEHILL MAKI: Could you go on
23 the record with exactly what Mr. Pan just said?

24 A. He was saying, Fucking Chinese.

1 Q. Anything else.

2 A. Then he said, I am not -- I didn't do any
3 stealing. Why did you look at me? I said,
4 Everybody comes in. I could look at them.

5 Q. Again, did you say that in English?

6 A. Yes.

7 Q. What else happened?

8 A. He didn't talk later. He was yelling there
9 for about five minutes.

10 Q. Could you understand anything else that he
11 was saying?

12 A. Then he said, You Chinese opened the store
13 here. Why don't you go back to China to open the
14 store.

15 Q. What else?

16 A. There was another customer coming in, a
17 male. He came in to buy a drink, a soft drink.
18 This guy was wearing Red Sox clothes. He was
19 standing behind the customer.

20 Q. What customer?

21 A. There was somebody else, some other
22 customer. He was standing behind him. A Caucasian.

23 Q. Can you describe the man in the Red Sox
24 jersey for me?

1 A. He was a Caucasian. He was between 30 to
2 40 years old.

3 Q. Anything else. Can you describe him in any
4 other way?

5 A. Yes. The African person was swearing at us
6 non-stop. I didn't argue with him, because we had
7 been busy with the business. He continued to swear.
8 The person in the Red Sox clothes said, If you want
9 to buy something, go ahead and buy. If you don't
10 want to buy something, please leave.

11 Q. Other than the fact that he was between 30
12 and 40 years old, Caucasian and wearing a Red Sox
13 jersey, can you describe how else he looked? Do you
14 know what color hair he had?

15 A. He had a very short cut with his hair
16 style. He was not tall. He had a Red Sox jersey.

17 Q. Do you know what color his hair was?

18 A. His hair looked like he had a gray type of
19 hair.

20 Q. After the officer said, Buy something or
21 please leave, what happened?

22 A. The person who was wearing the Red Sox
23 jersey saying this to him, If you have anything to
24 buy, go ahead and buy it or don't stay here, and

1 Q. Did you ever speak to the police officer?

2 A. No.

3 Q. After the police officer asked the man to
4 leave the store, what did he do?

5 A. He didn't do anything. He left.

6 Q. Did the police officer purchase anything?

7 A. Yes.

8 Q. What did he purchase?

9 A. He seemed to have bought -- I actually
10 forgot. I forgot.

11 Q. Did he make the purchase from you or the
12 purchase from your niece?

13 A. He bought it.

14 Q. Did he buy it from your register or your
15 niece's register?

16 A. Her.

17 Q. Did you ever observe the man speaking to
18 customers in the store?

19 A. No.

20 Q. Other than speaking to you and the police
21 officer, did you see him speak to anyone else?

22 A. No, I didn't.

23 Q. How many times did the police officer ask
24 the man to leave the store before he left?

1 A. He said it at least three or four times.

2 Q. Was the police officer yelling?

3 A. No.

4 Q. Was the man yelling?

5 A. That person?

6 Q. Yes.

7 A. Which one, the police officer?

8 Q. Not the police officer. The other man.

9 A. The man would not listen to him to go out.

10 Q. My question was, was he ever yelling?

11 A. He said, Why should I leave?

12 Q. Was he ever shouting?

13 A. The African person, yes.

14 Q. Was shouting.

15 A. Yes. He would not leave.

16 Q. While this was going on how many customers
17 were in the store?

18 A. Four or five.

19 Q. Where were those customers?

20 A. They were at the cash register. They were
21 trying to make a purchase. They were standing in
22 line.

23 Q. Could they observe the man's behavior from
24 where they were standing?